



2024730-7038152001  
(04-050 (US01))

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Michael P. Wallace, et al

Serial No.: 10/799,295

Filed: March 12, 2004

For: COLLAPSIBLE/EXPANDABLE  
TUBULAR ELECTRODE LEADS

Group Art Unit: Not-Yet-Assigned

Examiner: Not-Yet-Assigned

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR § 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. Copies of US Patents and US Patent Publications are not enclosed, pursuant to the US Patent & Trademark Office waiver of this requirement under 37 CFR § 1.98 (a)(2)(i) for patent applications filed after June 30, 2003.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

CERTIFICATE OF MAILING  
(37 C.F.R. § 1.8)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposit with the Unites States Postal Services on the date shown below with sufficient postage as "First Class Mail" to addressee in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313-1450.

September 21, 2004  
Date of deposit

Carolyn Tobias  
Name of Person transmitting Paper

*Carolyn Tobias*  
Signature of Person depositing Paper

**INFORMATION DISCLOSURE STATEMENT FILING PROVISION:**

☒ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d) or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☐ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☐ The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

**STATEMENT UNDER 37 CFR § 1.97(e):**

☐ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after

making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

**PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:**

- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the above fee(s).
- ☐ Please charge \_\_\_\_\_ to Deposit Account No. **50-2518** for the above fee(s).
- ☒ Although applicant believes no fee is required, the Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Bingham McCutchen's Deposit Account No. **50-2518**.

Respectfully submitted,

BINGHAM McCUTCHEN LLP

Dated: September 20, 2004

By: 

David T. Burse  
Reg. No. 37,104

BINGHAM McCUTCHEN LLP  
Three Embarcadero, Suite 1800  
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Customer Number

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# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

## **Complete if Known**

Application Number	10/799,295
Filing Date	March 12, 2004
First Named Inventor	Michael P. Wallace
Group Art Unit	3739
Examiner Name	Not-Yet-Assigned
Attorney Docket Number	2024730-7038152001

## **U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	AA	4,285,347		Hess	August 25, 1981	
	AB	4,519,403		Dickhudt	May 28, 1985	
	AC	4,658,835		Pohndorf	April 21, 1987	
	AD	5,365,926		Desai	November 22, 1994	
	AE	5,543,864		Ljungstroem	June 13, 1995	
	AF	5,702,438		Avitall	December 30, 1997	
	AG	5,846,238		Jackson et al.	December 8, 1998	
	AH	5,891,136		McGee et al.	April 6, 1999	
	AI	6,697,676		Dahl et al.	February 24, 2004	
	AJ	6,094,596		Morgan	July 25, 2000	
	AK	6,119,044		Kuzma	September 12, 2000	
	AL	6,136,021		Tockman et al.	October 24, 2000	
	AM	6,161,047		King et al.	December 12, 2000	
	AN	6,205,361		Kuzma et al.	March 20, 2001	
	AO	6,263,248		Farley et al.	July 17, 2001	
	AP	6,266,568		Mann et al.	July 24, 2001	
	AQ	6,402,746		Whayne et al.	June 11, 2001	
	AR	6,415,187		Kuzma et al.	July 2, 2002	
	AS	6,522,932		Kuzma et al.	February 18, 2003	
	AT	6,597,953		Boling	July 22, 2003	

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sub>6</sub>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Date Considered

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